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Filed : July 19, 2003

REMARKS

In the Office Action, the examiner rejected claims 1-8 as being anticipated by cited Howard (U.S. Patent No. 5,884,970). Accordingly the applicant has canceled the set of claims 1-8 and introduced a new set of claims 9-14 in order to further clarify the pertinent features of the invention. New independent claim 9 includes the limitations which are substantially the same as those in the original claims 1, 2 and 4. Namely, claim 9 contains limitations, among others, that the backrest is adjustable independently of the seat from the front position up to the specific angle of inclination at which the catch member comes into operative contact with the seat. After the catch member contacts with the seat, the present invention allows a simultaneous movement of the seat and the backrest.

The cited Howard reference does not disclose this feature. In fact, the cited reference does not disclose any mobility of the seat in its specification. The invention disclosed by Howard teaches a recliner apparatus with a shaft 22 that is threaded on both sides that engages with elongated recesses 12 and 14 thereby providing a pulling/pushing motion in a symmetrical manner in order to alter the reclining angle of the backrest. The examiner stated that the operating mechanism E is capable of adjusting the inclination of the seat and the backrest: however, it is not likely that the operating mechanism alone would be able to do both of the tasks at the same time. The mechanism E of the cited Howard

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reference is threaded with rod 4 that is attached via a pivot to the part 6 of the seat member. With the number of pivotal points and the arrangement of the invention, the mechanism cited by the cited Howard reference requires that the backrest to be attached to something that is fixed in order for the seat to change its angle and orientation. On the other hand, in order for there to be any adjustment on the back member, the seat member needs to be fixed. More specifically, for example, if the rods 2 and 4 of the cited reference were to extend outwardly so as to raise the angle of the seat, the angle of the back member decreases in order to compensate for the pushing force applied to Part D thereby eliminating the intended reclining effect of the invention. Therefore, the cited Howard reference does not show or suggest the feature of the present invention.

Even if the seat were able to alter its angle without affecting the back member or vice versa, the action would occur simultaneously. The mechanism disclosed by the cited Howard reference has a shaft 22 that is threaded so that the movement incurred upon rods 2 and 4 are symmetrical, that is, either moving toward each other, or away from each other. Therefore, when the mechanism is engaged by such means as power drive, the movement of the back and the seat would be simultaneous. The present invention, allows the backrest to adjust independently of the seat from the front position up to the specific angle of inclination at which the catch member comes into operative contact with the seat. Thereafter, the catch member engages with the seat to provide

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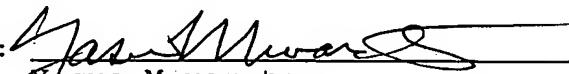
further inclination of the seat. Thereafter, the structure of the present invention allows a simultaneous movement of seat and backrest as well as adjustment of the backrest independently from the seat. Thus, there is a significant difference between the present invention and the invention taught by Howard.

Therefore, the applicant believes that the newly added independent claims 9-14 are patentable over the prior art and the rejection to the original claims 1-6 is no longer applicable to the present invention.

In view of the foregoing, Applicant believes that Claims 9-14 are in condition for allowance, and accordingly, Applicant respectfully requests that the present application be allowed and passed to issue.

Respectfully submitted,
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